



May 14, 2019

Dear Sage Grouse Implementation Team and members of the public,

Thank you for your thoughtful responses to my request for public review of Wyoming's existing Greater Sage-Grouse Executive Order (EO) 2015-4 and the attachments therein. I have reviewed the 78 public comments that were submitted, all of which present numerous constructive and innovative ideas aimed at improving upon Wyoming's current Core Area Protection Strategy. I appreciate the concern and understand both the commitment and the precariousness of all that is at stake to protect the greater sage-grouse in Wyoming.

I believe all responsible engaged parties recognize the sensitivity of ensuring Wyoming's established approach continues to be effective. Comments on the EO 2015-4 were expansive -- ranging from general support of the state's strategy to red-lined changes that target specific areas for improvement. Of these comments, several common themes emerged, among them: landscape-scale sage-grouse management, invasive plant species, recognition of restrictions in non-core areas, incentivization for development outside of core areas, winter concentration areas, habitat restoration, hunting, mitigation, monitoring, reporting, and data transparency, as well as science and research.

In response to the public's feedback, I plan to issue a new Executive Order in the coming months that will streamline the concepts that are fundamental to Wyoming's Core Area Protection Strategy. This reworking will not be a major overhaul -- it will recognize valid and existing rights, continue to rely upon sound science and provide certainty while allowing for adaptation as new information emerges.

The body of the new EO will be significantly shortened and include clear language on Wyoming's approach to habitat conservation. Since the essential components of the state's strategy vary in complexity, I envision formatting the EO with nine appendices. The EO will include a provision that allows for adjustment to these appendices, when merited. The appendices will be:

1. Appendix A: Coordination and Agency Cooperation
2. Appendix B: Maps
3. Appendix C: Habitat Definitions
4. Appendix D: Valid Existing Rights
5. Appendix E: Permitting -- Including the Density and Disturbance Calculation Tool, stipulations for development, guidance on avoidance and minimization, as well as an outline of the process for determining waivers, exceptions and modifications.
6. Appendix F: Compensatory Mitigation
7. Appendix G: De Minimis Activities
8. Appendix H: Data Collection and Reporting

## 9. Appendix I: Adaptive Management

It is my hope that by organizing the Order this way, we can continue to have ongoing conversations yet keep the key aspects of the Core Area Protection Strategy framework in place.

Throughout this comment period I have received feedback about four concepts worth further discussion at this time.

- *Changes to leasing in core area habitat* -- Allowances and restrictions for infrastructure development in core areas are clearly defined by Wyoming's existing Core Area Protection Strategy and will not change with the issuance of a new EO. Additional complex issues have recently arisen to be at the forefront of discussion, including leasing within big game habitat and migration corridors as well as potentially restructuring state regulations for applications for permits to drill. Therefore, I do not think it is appropriate to address any changes to leasing only in particular to sage-grouse by way of the new EO. Any changes related to this issue will be addressed separately.
- *Compensatory mitigation* -- The Wyoming Legislature will review this topic as an interim study for the remainder of 2019. The state has an existing framework that will be referenced in the body of the new EO and that will serve as the basis for Appendix H. Any legislative changes that result from the 2019 interim session will be accommodated with an adjustment to Appendix H, as appropriate.
- *Sport hunting* -- Numerous comments were submitted that advocate both for and against the practice of sport hunting of greater sage-grouse. I firmly believe this is under the jurisdiction of the Wyoming Game and Fish Commission. Therefore I will not address this topic in the new EO.
- *Invasive species* -- There is no doubt that invasive species have the potential to adversely impact the viability and resiliency of greater sage-grouse habitat. Over the next year as part of a separate effort, I will work with the University of Wyoming's College of Agriculture and Natural Resources, our community colleges and the state's weed and pest districts to put together a program that will explore treatment and management strategies aimed at aggressively suppressing the occurrence of invasive species in Wyoming, particularly focusing on invasive annual grasses. This strategy will include consideration for the sagebrush ecosystem as well as sage-grouse habitat.
- *Public information sharing* -- Continued assurance of the effectiveness of Wyoming's Core Area Protection Strategy will rely heavily upon clearly communicating the directives outlined by the new EO alongside the important ongoing work of the Sage Grouse Implementation Team (SGIT). With this in mind, I request that the SGIT develop recommendations for a process to facilitate information sharing that will assist with the interpretation and implementation of the new EO. For example, this could include developing guidance documents or process manuals.

In closing, I firmly believe that we can continue to endeavor to protect the greater sage-grouse in a way that durably preserves what has come to be recognized as a cogent conservation strategy. Thank you for

all of your hard work in preparing your feedback. I look forward to further discussing my vision for greater sage-grouse conservation with the SGIT in person at your next meeting on May 15th.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gordon", with a stylized, flowing script.

Mark Gordon  
Governor